

### Arbitration Panel Decision

After hearing testimony and reviewing all of the evidence, the panel issued its ruling. On issue number one, the panel found that the selection committee convened in 2006 to select a manager for Vending Facility 495 was required to determine each candidate's labor percentage for the previous two years.

However, the panel concluded that the problem with implementation of the 2006 rule was that neither the Complainant nor the other candidate had a labor percentage goal for 2005. In order to remedy the two year requirement, the selection committee decided to apply the Complainant's and the other candidate's labor goals in 2006 to their vending facilities in 2005, thus providing a labor percentage for the two-year period.

The arbitration panel found that this action of the selection committee was not patently unfair or an abuse of discretion and thus was not in violation of state rules and regulations or the Act and implementing regulations.

Regarding issue number two, the panel determined that the record reflected complaints about the successful candidate's performance at prior facilities. However, the evidence heard by the panel did not indicate that the SLA or any of its staff arbitrarily removed documentation from the successful candidate's file or failed to submit records in his vending operator file to the selection committee. Thus, based upon testimony of the selection committee members that they were aware of the successful candidate's problems at prior facilities, the arbitration panel ruled that the successful candidate's problems occurred several years earlier and his lack of problems and his improvement over recent years merited the level of scoring that he received from the selection committee.

Concerning issue number three, the panel found that there was no dispute that the grantor of Vending Facility 495 did not serve on the selection committee. Based on the evidence heard by the panel, the grantor was contacted via e-mail by the SLA and indicated that he believed he was invited to serve on the selection committee, but the grantor did not recall why he did not attend. The Complainant interpreted the grantor's lack of attendance to mean that the grantor was not invited by the SLA to participate on the selection committee in violation of the OAC.

However, the panel in considering the hearing record as a whole determined

that the Complainant did not meet his minimum burden of proof on this issue.

Finally, regarding issue number four, the panel found no violations of the Act, implementing regulations under the Act, or the state rules and regulations. Thus, the panel denied Complainant's grievance.

The views and opinions expressed by the panel do not necessarily represent the views and opinions of the Department.

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**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

Dated: February 2, 2011.

**Alexa Posny,**

*Assistant Secretary for Special Education and Rehabilitative Services.*

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**BILLING CODE 4000-01-P**

### DEPARTMENT OF ENERGY

#### National Coal Council; Meeting

**AGENCY:** Department of Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces a meeting of the National Coal Council (NCC) Coal Policy Committee. The Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) requires that public notice of this meeting be announced in the **Federal Register**.

**DATES:** Tuesday, February 22, 2011. 10 a.m. to 2 p.m.

**ADDRESSES:** Hilton Hotel at the Ballpark, One South Broadway, St. Louis, Missouri 63102.

**FOR FURTHER INFORMATION CONTACT:** Michael J. Ducker, U.S. Department of Energy; 4G-036/Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585-1290; Telephone: 202-586-7810.

**SUPPLEMENTARY INFORMATION:**

*Purpose of Meeting:* To provide a review by the Committee of the final draft of the current study underway by the Council on the deployment of carbon capture and storage technologies.

*Agenda:* Review of the previously described draft report.

*Public Participation:* The meeting is open to the public. If you would like to file a written statement with the Committee, you may do so either before or after the meeting. If you would like to make oral statements regarding any potential items on the agenda, you should contact Michael J. Ducker, 202-586-7810 or [Michael.Ducker@hq.doe.gov](mailto:Michael.Ducker@hq.doe.gov) (e-mail). You must make your request for an oral statement at least 5 business days before the meeting. Reasonable provision will be made to include the scheduled oral statements on the agenda. The Chairperson of the Committee will conduct the meeting to facilitate the orderly conduct of business. Public comment will follow the 10-minute rule.

*Minutes:* The NCC will prepare meeting minutes within 45 days of the meeting. The minutes will be posted on the NCC Web site at <http://www.nationalcoalcoal.org/>.

Issued at Washington, DC, on February 1, 2011.

**LaTanya R. Butler,**

*Acting Deputy Committee Management Officer.*

[FR Doc. 2011-2587 Filed 2-4-11; 8:45 am]

**BILLING CODE 6450-01-P**

### DEPARTMENT OF ENERGY

#### Office of Energy Efficiency and Renewable Energy

#### Energy Efficiency and Renewable Energy Advisory Committee (ERAC)

**AGENCY:** Department of Energy, Office of Energy Efficiency and Renewable Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** The purpose of the ERAC is to provide advice and recommendations to the Secretary of Energy on the research, development, demonstration, and deployment priorities within the field of energy efficiency and renewable energy. The Federal Advisory Committee Act, Public Law 92-463, 86 Stat. 770, requires that agencies publish notice of an advisory committee meeting in the **Federal Register**.

**DATES:** Wednesday, March 2, 2011, 9 a.m.-3 p.m.

**ADDRESSES:** Capitol Skyline Hotel, 10 I Street, SW., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** [erac@ee.doe.gov](mailto:erac@ee.doe.gov).

**SUPPLEMENTARY INFORMATION:**

*Purpose of Meeting:* To provide advice and recommendations to the

Secretary of Energy on the research, development, demonstration, and deployment priorities within the field of energy efficiency and renewable energy.

*Tentative Agenda:* (Subject to change; updates will be posted on <http://www.erac.energy.gov>):

- EERE Strategic Overview and Discussion

- ERAC Subcommittee Discussion

*Public Participation:* Members of the public are welcome to observe the business of the meeting of ERAC and to make oral statements during the specified period for public comment. The public comment period will take place between 2:15 p.m. through 2:30 p.m. during the day of the meeting (Wednesday, March 2, 2011). To attend the meeting and/or to make oral statements regarding any of the items on the agenda, e-mail [erac@ee.doe.gov](mailto:erac@ee.doe.gov) at least five business days before the meeting, no later than Wednesday, February 22, 2011. In the e-mail, please indicate your name, organization (if appropriate), citizenship, and contact information.

Members of the public will be heard in the order in which they sign up for the Public Comment Period. Oral comments should be limited to two minutes in length. Reasonable provision will be made to include the scheduled oral statements on the agenda. The chair of the committee will make every effort to hear the views of all interested parties and to facilitate the orderly conduct of business.

Participation in the meeting is not a prerequisite for submission of written comments. ERAC invites written comments from all interested parties. If you would like to file a written statement with the committee, you may do so either by submitting a hard or electronic copy before or after the meeting. Electronic copy of written statements should be e-mailed to [erac@ee.doe.gov](mailto:erac@ee.doe.gov).

*Minutes:* The minutes of the meeting will be available for public review at <http://www.erac.energy.gov>.

Issued in Washington, DC, on February 2, 2011.

**Rachel Samuel,**

*Deputy Committee Management Officer.*

[FR Doc. 2011-2588 Filed 2-4-11; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings

January 31, 2011.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

*Docket Numbers:* RP11-1731-000.

*Applicants:* Gulf South Pipeline Company, LP.

*Description:* Gulf South Pipeline Company, LP submits tariff filing per 154.204: Oneok Energy Services Company, L.P. to BG Energy Merchants, LLC., Negotiated Rate Agreement to be effective 2/1/2011.

*Filed Date:* 01/28/2011.

*Accession Number:* 20110128-5165.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, February 09, 2011.

*Docket Numbers:* RP11-1732-000.

*Applicants:* Gulf South Pipeline Company, LP.

*Description:* Gulf South Pipeline Company, LP submits tariff filing per 154.204: J-W 34689 to Q-West Capacity Release Negative Rate Agreement to be effective 2/1/2011.

*Filed Date:* 01/28/2011.

*Accession Number:* 20110128-5166.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, February 09, 2011.

*Docket Numbers:* RP11-1733-000.

*Applicants:* Gulf South Pipeline Company, LP.

*Description:* Gulf South Pipeline Company, LP submits tariff filing per 154.204: JW 34690 to Q-West Capacity Release Negative Rate Agreement to be effective 2/1/2011.

*Filed Date:* 01/28/2011.

*Accession Number:* 20110128-5171.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, February 09, 2011.

*Docket Numbers:* RP11-1734-000.

*Applicants:* Natural Gas Pipeline Company of America LLC.

*Description:* Natural Gas Pipeline Company of America LLC submits tariff filing per 154.204: Brazos' Non-Conforming Agreement to be effective 3/1/2011.

*Filed Date:* 01/28/2011.

*Accession Number:* 20110128-5206.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, February 09, 2011.

*Docket Numbers:* RP11-1735-000.

*Applicants:* Equitrans, L.P.

*Description:* Equitrans, L.P. submits tariff filing per 154.204: Big Sandy Pipeline Semi-Annual Retainage Rate Filing to be effective 3/1/2011.

*Filed Date:* 01/28/2011.

*Accession Number:* 20110128-5222.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, February 09, 2011.

*Docket Numbers:* RP11-1736-000.

*Applicants:* Transcontinental Gas Pipe Line Company, LLC.

*Description:* Transcontinental Gas Pipe Line Company, LLC submits tariff filing per 154.203: Pro Forma GTC Section 18 Filing to be effective N/A.

*Filed Date:* 01/28/2011.

*Accession Number:* 20110128-5224.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, February 09, 2011.

*Docket Numbers:* RP11-1737-000.

*Applicants:* Golden Pass Pipeline LLC.

*Description:* Golden Pass Pipeline LLC submits tariff filing per 154.203: CP11-34-000 Amended Initial Rates to be effective 3/1/2011.

*Filed Date:* 01/28/2011.

*Accession Number:* 20110128-5245.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, February 09, 2011.

*Docket Numbers:* RP11-1738-000.

*Applicants:* El Paso Natural Gas Company.

*Description:* El Paso Natural Gas Company submits tariff filing per 154.204: Capacity Release Agreement Update to be effective 3/1/2011.

*Filed Date:* 01/28/2011.

*Accession Number:* 20110128-5266.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, February 09, 2011.

*Docket Numbers:* RP11-1739-000.

*Applicants:* Gas Transmission Northwest Corporation.

*Description:* Gas Transmission Northwest Corporation submits tariff filing per 154.203: Medford Lateral Annual Report Year Ending 10-31-10 to be effective N/A.

*Filed Date:* 01/31/2011.

*Accession Number:* 20110131-5037.

*Comment Date:* 5 p.m. Eastern Time on Monday, February 14, 2011.

*Docket Numbers:* RP11-1740-000

*Applicants:* Kinder Morgan Louisiana Pipeline LLC

*Description:* Penalty Revenue Crediting Report of Kinder Morgan Louisiana Pipeline LLC.

*Filed Date:* 01/31/2011.

*Accession Number:* 20110131-5047.

*Comment Date:* 5 p.m. Eastern Time on Monday, February 14, 2011.

*Docket Numbers:* RP11-1741-000.

*Applicants:* Algonquin Gas Transmission, LLC.

*Description:* Algonquin Gas Transmission, LLC submits tariff filing per 154.204: Negotiated Rate Filing 2011 02-01—Hess to be effective 2/1/2011.

*Filed Date:* 01/31/2011.

*Accession Number:* 20110131-5053.

*Comment Date:* 5 p.m. Eastern Time on Monday, February 14, 2011.